

## DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventors (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SHELL AND PLATE HEAT EXCHANGER, the specification of which

  X   is attached hereto.  
  X   was filed on (see below)  
as Application Serial No.                       
and was amended on                     .  
(If Applicable)

I hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56, copy attached.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

### Priority Claimed

| <u>(not applicable)</u> |         |                |       |      |
|-------------------------|---------|----------------|-------|------|
| Number                  | Country | Day/Month/Year | (Yes) | (No) |
| Number                  | Country | Day/Month/Year | (Yes) | (No) |
| Number                  | Country | Day/Month/Year | (Yes) | (No) |
| Number                  | Country | Day/Month/Year | (Yes) | (No) |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

| <u>Provisional Application Number</u> | <u>Filing Date</u> | <u>Priority Claimed</u> |
|---------------------------------------|--------------------|-------------------------|
| <u>60/302,050</u>                     | <u>06/29/01</u>    | <u>Yes</u>              |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| (Not Applicable)     |             |        |
|----------------------|-------------|--------|
| Application Ser. No. | Filing Date | Status |
| Application Ser. No. | Filing Date | Status |

I further declare that I do not know and do not believe that the invention claimed in this application was ever known or used by others in this country before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application or any prior U.S. application above identified in which said invention may have been disclosed, or in public use or on sale in the United States of America for more than one year prior to this application or any prior U.S. application above identified in which said invention may have been disclosed.

#### **POWER OF ATTORNEY**

And I hereby appoint as my attorneys with full power of substitution to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith the following individual members and/or associates and/or counsel of the firm of

#### **REISING, ETHINGTON, BARNES, KISSELLE, LEARMAN & McCULLOCH, P.C.**

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to which address please send all correspondence concerning this application:

| <b><u>Attorney</u></b> | <b><u>Reg. No.</u></b> | <b><u>Attorney</u></b> | <b><u>Reg. No.</u></b> |
|------------------------|------------------------|------------------------|------------------------|
| Edward J. Biskup       | 18,987                 | John F. Learman        | 17,069                 |
| David A. Burns         | 46,238                 | Kevin S. MacKenzie     | 45,639                 |
| Robert C. Collins      | 27,430                 | John K. McCulloch      | 17,452                 |
| Paul J. Ethington      | 17,299                 | John P. Moran          | 20,941                 |
| Robert L. Farris       | 25,112                 | Steven L. Permut       | 28,388                 |
| Francis J. Fodale      | 20,824                 | Robert J. Sayfie       | 37,714                 |
| William H. Francis     | 25,335                 | Matthew J. Schmidt     | 43,904                 |
| William H. Griffith    | 16,706                 | William J. Schramm     | 24,795                 |
| Andrew M. Grove        | 39,697                 | Robert L. Stearns      | 36,937                 |
| George A. Grove        | 23,023                 | James D. Stevens       | 35,691                 |
| Eric T. Jones          | 40,037                 | William J. Waugaman    | 20,304                 |
|                        |                        | Charles R. White       | 20,494                 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

|                                   |                                 |           |               |
|-----------------------------------|---------------------------------|-----------|---------------|
| Full name of first joint inventor | <u>Achint</u>                   | <u>P.</u> | <u>Mathur</u> |
|                                   | First                           | Middle    | Last          |
| Inventor's Signature              | <u><i>Achint Mathur</i></u>     |           |               |
| Date                              | <u>12-21-01</u>                 |           |               |
| Residence                         | <u>Wichita Falls, Texas</u>     |           |               |
| Citizenship                       | <u>United States of America</u> |           |               |
| Post Office Address               | <u>4838 Rhea Road</u>           |           |               |
|                                   | <u>Wichita Falls, TX 76308</u>  |           |               |

|                                    |                                    |                |               |
|------------------------------------|------------------------------------|----------------|---------------|
| Full name of second joint inventor | <u>Jason</u>                       | <u>Michael</u> | <u>Fulmer</u> |
|                                    | First                              | Middle         | Last          |
| Inventor's Signature               | <u><i>Jason Michael Fulmer</i></u> |                |               |
| Date                               | <u>12-21-01</u>                    |                |               |
| Residence                          | <u>Wichita Falls, Texas</u>        |                |               |
| Citizenship                        | <u>United States of America</u>    |                |               |
| Post Office Address                | <u>4329 Grandview South</u>        |                |               |
|                                    | <u>Wichita Falls, Texas 76301</u>  |                |               |

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED  
PAGE(S) WHICH FORM A PART OF THIS DECLARATION

\_\_\_\_ Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_

\_\_\_\_ Signature by administrator(trix), executor(trix) or legal representative for  
deceased or incapacitated inventor. Number of pages added \_\_\_\_

\_\_\_\_ Signature for inventor who refuses to sign or cannot be reached by person  
authorized under 37 CFR 1.47. Number of pages added \_\_\_\_

\* \* \*

\_\_\_\_ Added pages to combined declaration and power of attorney for divisional,  
continuation,  
or continuation-in-part (CIP) application. Number of pages added \_\_\_\_

\* \* \*

\_\_\_\_ Authorization of attorney(s) to accept and follow instructions from representative.

\* \* \*

**If no further pages form a part of this Declaration then end this Declaration  
with this page and check the following item**

  X   This declaration ends with this page.